

LAW OFFICES
KEESAL, YOUNG & LOGAN
A PROFESSIONAL CORPORATION
450 PACIFIC AVENUE
SAN FRANCISCO, CALIFORNIA
94133
(415) 398-6000
FACSIMILE:
(415) 981-0136
www.kyl.com

SAMUEL A. KEESAL, JR.
STEPHEN YOUNG
MICHAEL M. GLESS
PETER R. BOUTIN
SCOTT T. PRATT
TERRY ROSS
JOHN D. GIFFIN
WILLIAM H. COLLIER, JR.
PHILIP A. MCLEOD
NEAL SCOTT ROBB
BEN SUTER
ALBERT E. PEACOCK III
CAMERON STOUT
ROBERT J. STEMLER
LISA M. BERTAIN
ROBERT J. BOCKO*

MICHELE R. FRON
ELIZABETH P. BEAZLEY
JOSEPH A. WALSH II
HERBERT H. RAY, JR.*†
JODIS. COHEN
PHILIP R. LEMPRIERE*‡
JULIE L. TAYLOR
STACEY MYERS GARRETT
JON W. ZINKE*
DOUGLAS R. DAVIS*†
GORDON C. YOUNG
ELIZABETH H. LINDH
KELLY J. MOYNIHAN
CARA L. MEREDITH
SARAH TONG SANGMEISTER
MARC R. GREENBERG

JULIE A. KOLE
DAVID D. PIPER
GLEN R. PIPER
SANDOR X. MAYUGA
ESTHER E. CHO
CHRISTOPHER A. STECHER
AUDETTE PAUL MORALES
SCOTT E. HINSCH
MELANIE L. RONEN
BENJAMIN W. WHITE
BENTLEY P. STANSBURY III
ATLANTIS TILLMAN LANGOWSKI
JOHN D. KIMMERLEIN†
EVELYN A. CHRISTENSEN

ASHLEY YOUNG ADAMS
GARRETT R. WYNNE
JOHN COX
DAVID A. TONG
CHARLES M. BILLY
ANGELIKI J. PAPADAKIS
STEFAN PEROVICH
AILAN LIU
NICOLAS J. VIKSTROM†
SAMANTHA R. SMITH*
JAMES F. KUHN, JR.
ANNE M. MORIARTY
NICOLE S. BUSSI
JAY S. CARLSON

OF COUNSEL
ROBERT H. LOGAN
RICHARD A. APPELBAUM+
REAR ADMIRAL, U.S.C.G. (RET.)
ELIZABETH A. KENDRICK

RICHARD L. LANDES
DAVID W. TAYLOR‡
NANCY HARRISS†
FRANCES L. KEELER

August 26, 2008

* ADMITTED IN ALASKA
† ADMITTED IN WASHINGTON
‡ ADMITTED IN WASHINGTON & CALIFORNIA
§ ADMITTED IN ALASKA & CALIFORNIA
+ ADMITTED IN DISTRICT OF COLUMBIA & FLORIDA
* REGISTERED FOREIGN LAWYER WITH THE LAW SOCIETY
OF HONG KONG & ADMITTED IN NEW YORK
‡ SOLICITOR ADMITTED IN ENGLAND, WALES AND NORTHERN
IRELAND

ALL OTHERS ADMITTED IN CALIFORNIA

Carrie S. Lin, Esq.
Scott Cole & Associates, APC
1970 Broadway, Ninth Floor
Oakland, CA 94612

*Via Facsimile (510) 891-7030
and U.S. Mail*

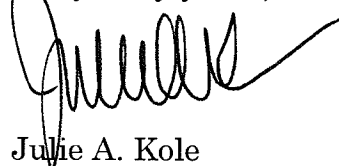
Re: *Jason Thomas v. TD Ameritrade, Inc.*
USDC Case No. C 08-02397 WDB
Our File No.: 4898-60

Dear Ms. Lin:

Pursuant to Judge Brazil's August 14, 2008 Order, we are writing to advise that TD Ameritrade is amenable to attempting to resolve this matter through private mediation, with an informal exchange of information beforehand. Please advise us of proposed mediators that would be acceptable to your client.

In addition, please feel free to contact me if you would like to further discuss these matters.

Very truly yours,



Julie A. Kole
julie.kole@kyl.com

JAK:kk (KYL_SF465719)

cc: U.S. Magistrate Judge Wayne D. Brazil (via ECF electronic submission)

LONG BEACH OFFICE
400 OCEANGATE
P.O. BOX 1730
LONG BEACH, CA 90801-1730
(562) 436-2000
FACSIMILE: (562) 436-7416

ANCHORAGE OFFICE
SUITE 650
1029 WEST THIRD AVENUE
ANCHORAGE, AK 99501-1954
(907) 279-9696
FACSIMILE: (907) 279-4239

SEATTLE OFFICE
SUITE 1515
1301 FIFTH AVENUE
SEATTLE, WA 98101
(206) 622-3790
FACSIMILE: (206) 343-9529

HONG KONG OFFICE
1603 THE CENTRE MARK
287 QUEEN'S ROAD CENTRAL
HONG KONG
(852) 2854-1718
FACSIMILE: (852) 2541-6189